

1 Q. Any other photographs aside from these then,
2 the ones that you've mentioned and then these that
3 we're looking at here, any other photographs?

4 A. No.

5 Q. Do you have any photographs of the equipment,
6 other than those that were provided by your attorney
7 in your document production?

8 A. No.

9 Q. And have you seen those pictures that were
10 provided, that would be -- I'm not actually going to
11 mark this as an exhibit, but that's these pictures.
12 You can take a look at them. These were provided by
13 your attorney. I just want to make sure you don't
14 have anything else other than these.

15 A. These are the accurate pictures. This is an
16 older model.

17 Q. Okay, thank you. So I'll go ahead and mark
18 those then. What, these two are accurate pictures of
19 the machine?

20 A. Yes.

21 Q. Wonderful.

22 MS. MASSARO: We'll go ahead and have
23 these marked then as 4 and 5.

24 MR. LEVIN: Let me just see them.



1 MS. MASSARO: Sure. I believe I got those
2 from you.

3 MR. LEVIN: Yeah.

4 (Criswell Exhibits No. 4 and 5 were marked
5 for identification.)

6 Q. Now, I'm going to ask you a few questions about
7 some of your doctors in terms of where they are and
8 that type of thing, who you've seen. In your
9 responses to interrogatories you name a Dr. Robert,
10 this is in No. 10, Robert Guadagno.

11 A. Guadagno?

12 Q. Yeah.

13 A. That's incorrectly spelled.

14 Q. How do you spell that?

15 A. G-u-a-d-a-g-n-o. Guadagno.

16 Q. And his first name is Robert?

17 A. Yes.

18 Q. And where does he practice?

19 A. At the time I saw him he was in Geisinger
20 Medical Group. He was there.

21 Q. Do you know where he is today?

22 A. He was a per diem doctor. I don't know where
23 he's at today.

24 Q. But he was with the Geisinger Medical Group?



1 A. Correct.

2 Q. Then in 2003, 2004 you provided the name of
3 Dr. William Garafolo. Is that spelled correctly,
4 G-a-r-a-f-o-l-o?

5 A. Yes.

6 Q. And where did you see him, in Fort Myers,
7 Florida?

8 A. Yes.

9 Q. Then later you saw a chiropractor Christine
10 Guiswhite?

11 A. That's incorrectly spelled.

12 Q. How do you spell that?

13 A. G-u-i-s-w-h-i-t-e, Guiswhite.

14 Q. And where was she?

15 A. Lewistown, Pennsylvania.

16 Q. Who is your general practitioner in Lewistown?

17 A. I just used my GYN there as well.

18 Q. Okay, and who is your GYN?

19 A. Dr. Solomon.

20 Q. And the first name?

21 A. Stephen.

22 Q. S-t-e, do you know if it's p-h?

23 A. P-H.

24 Q. Okay. Do you see any other type of doctor in



1 Lewistown, OB-GYN, and these that have been named
2 here, any other doctors?

3 A. I don't live there now.

4 Q. Have you seen any other doctors there for any
5 condition?

6 A. Dr. West.

7 Q. And what type of physician is that?

8 A. Orthopedic surgeon.

9 Q. And what did you see him for?

10 A. I broke my right wrist.

11 Q. When was that?

12 A. August of 1996.

13 Q. And how did you break your right wrist?

14 A. I was racing.

15 Q. Running racing?

16 A. No.

17 Q. What type of racing?

18 A. Car racing.

19 Q. And it was a motor vehicle accident then?

20 A. It was a racing accident.

21 Q. How did it occur?

22 A. I hit the guy in front of me. Our -- his right
23 wheel, right rear wheel hit my right front wheel and
24 it turned the steering wheel.



1 Q. And what type of a car were you driving?

2 A. Sprint car.

3 Q. What is that?

4 A. A type of race car.

5 Q. And you said Sprint, S-p-r-i-n-t?

6 A. Correct.

7 Q. Was this on a track?

8 A. Yes.

9 Q. And did you have any other injuries --

10 A. No.

11 Q. -- as a result? Okay. How long did you do
12 that for?

13 A. Two seasons.

14 Q. It's actually a sport that you --

15 A. It's a family thing.

16 Q. Anyone else, other than Dr. West?

17 A. Nope.

18 Q. And we've already talked about who you're
19 seeing now. No. 18 indicates that an IME doctor and
20 treating physicians told you that you are permanently
21 disabled. And would that be the physicians that you
22 named earlier?

23 A. No.

24 Q. Who, first of all, who is the IME doctor who



1 told you that you were permanently disabled?

2 A. Well, I've been to five or six of them.

3 MR. LEVIN: For the record, this is the
4 worker's comp IME?

5 THE WITNESS: Yeah, it was all for
6 worker's comp.

7 Q. Okay. Could you tell me who those five or six
8 are and where they are located?

9 A. They don't have to be in order, do they?

10 Q. No, not at all.

11 A. Dr. Kagen in Fort Myers, Florida. Dr. Gelman
12 here, that's a guy, guy Gelman.

13 Q. Do you know Gelman's first name?

14 A. No.

15 Q. And that was in Delaware?

16 A. Um-hum. And I saw another guy here, I don't
17 remember his last name. His first name was Peter.
18 And Dr. Green in Phoenix.

19 Q. First name?

20 A. Lawrence.

21 Q. And this Dr. Kagen in Fort Myers, Florida, what
22 was the first name?

23 A. It's Kagen, K-a-g-e-n, first name is John.

24 MR. LEVIN: Is this an IME doctor?



1 THE WITNESS: Um-hum.

2 Q. Okay. So you said John Kagen, Dr. Gelman,
3 Dr. Peter something here?

4 A. Yeah.

5 Q. You don't remember the last name?

6 A. I don't remember his name.

7 Q. So that's one, two, three. And then I have
8 Dr. Lawrence Green in Phoenix. Anyone else? That's
9 four.

10 A. That's all I remember.

11 MR. LEVIN: That's fine.

12 Q. Yeah, that's fine. Okay. Do you have the
13 medical records from any of these physicians?

14 A. Do I have them?

15 Q. Yes.

16 A. No.

17 Q. Does your attorney?

18 A. Yes.

19 MS. MASSARO: I don't have any of those.

20 MR. LEVIN: I think, I think I have one
21 report.

22 MS. MASSARO: If I could have that, I
23 would appreciate it.

24 MR. LEVIN: Sure.



1 MS. MASSARO: We'll work on getting
2 copies.

3 MR. LEVIN: Yeah.

4 Q. Which ones of those told you that you were
5 permanently disabled?

6 A. Gelman and the Peter guy.

7 Q. If you remember his name before the end of the
8 deposition, if you want we'll just wait a second and
9 let you think, that would be helpful.

10 A. Also Dr. Green.

11 Q. So Dr. Gelman, Peter something and Dr. Green.

12 A. Dr. Kagen. They all said pretty much the same
13 thing.

14 Q. It's not Peter Townsend, is it?

15 A. No.

16 Q. I don't know if he does that. If you do, let
17 me know.

18 MR. LEVIN: That's okay.

19 Q. Now, another response, you indicate that you
20 were in Lewistown Hospital in mid 2004 regarding
21 something called an adjustment disorder. Who was the
22 doctor that you saw there?

23 A. That was a psychiatrist. Dr. Bellis had
24 referred me to see a psychiatrist.



1 Q. And who was that?

2 A. I don't recall his name off the top of my head.

3 Q. But Dr. Bellis referred you?

4 A. He referred me to see somebody in Florida, but
5 I had relocated back to Pennsylvania so I saw somebody
6 there.

7 Q. And why did he refer you to a psychiatrist?

8 A. I was having a very hard time dealing with
9 everything that was going on. My life was basically
10 turned upside down. I couldn't work, I couldn't
11 support myself. I had excruciating pain every day.

12 Q. And what happened when you were in the
13 hospital?

14 A. I wasn't in the hospital. I saw the doctor in
15 his office in the hospital.

16 Q. I see. So you were never actually hospitalized
17 then?

18 A. No.

19 Q. So how long did you see this doctor?

20 A. I was there less than an hour, once.

21 Q. And how many times -- one time?

22 A. Um-hum.

23 Q. So this was a one-time visit. And what was --

24 MR. LEVIN: You've got to answer verbally.



1 A. I'm sorry.

2 Q. My fault too. Okay. Was he with a practice
3 group?

4 A. Not that I know of.

5 Q. I'm going to need you to narrow that down a
6 little bit more in terms of who you saw there.

7 A. Okay.

8 Q. So if you can think about that, look in the
9 Yellow Pages, whatever, or look in your records and
10 let your attorney know, we need to know who that is.

11 A. Sure.

12 Q. And you're saying that this was a psychiatrist
13 that had an office in the hospital?

14 A. Yes.

15 Q. And did he prescribe any medications?

16 A. No.

17 Q. What was the treatment plan, anything?

18 A. He said there really wasn't anything that he
19 could do, that I was not a threat to myself.

20 Q. Did he make any recommendations?

21 A. No.

22 Q. And did you ever see a psychiatrist again --

23 A. No.

24 Q. -- before or since that time? Sorry.



1 A. No.

2 Q. And that was Lewistown Hospital in
3 Pennsylvania, correct?

4 A. Yes.

5 Q. You indicate in question No. 24 that you're
6 receiving, or that you receive worker's compensation
7 checks in the amount of \$1,876 per month. Is that
8 still continuing?

9 A. Yes.

10 Q. And when did that begin?

11 A. The week after the accident.

12 Q. So that's been consistent since the week after
13 the accident through till today?

14 A. Yes.

15 Q. And on the 26th you indicate that a claim has
16 been made for \$20,448?

17 A. That was a permanency settlement through
18 worker's comp.

19 Q. And you received that in November of '04; is
20 that correct?

21 A. Yes.

22 Q. Have you had any other settlement --

23 A. No.

24 Q. -- in this case? And do you know of any other



1 liens?

2 A. I don't know what that word means.

3 Q. Do you have any outstanding debt to anyone else
4 regarding -- do you have any outstanding debt
5 regarding this incident, any medical bills, anything
6 like that?

7 A. No.

8 MR. LEVIN: Well --

9 Q. Does worker's comp, does your worker's comp
10 carrier, that you know of?

11 MR. LEVIN: Well, I would believe that
12 there would be a lien by Wausau in connection with
13 this case.

14 MS. MASSARO: Okay.

15 Q. But you have not talked with anyone at Wausau
16 about that or anything?

17 A. They pay for the stuff directly.

18 Q. So they pay for it directly, and in the
19 beginning did you fill out paperwork for them?

20 A. Yes.

21 Q. And who did you deal with at Wausau?

22 A. Currently it's Tabitha May. They seem to have
23 a bunch of people there.

24 Q. And that's her last name, Tabitha May, or May



1 is her last name?

2 A. Yeah.

3 Q. Okay, and who did you deal with before that in
4 the beginning, initially, at the beginning of the
5 incident?

6 A. Yolanda Heart and Kevin Babb.

7 Q. Almost done.

8 MR. LEVIN: I might have a few questions.

9 MS. MASSARO: Okay, can you hold on?

10 MR. LEVIN: Yes.

11 THE WITNESS: Take a break.

12 (A brief recess was taken.)

13 BY MS. MASSARO:

14 Q. Okay, I just have one or two questions. Have
15 you ever been diagnosed with arthritis?

16 A. I was told posttraumatic stress arthritis.

17 Q. And who told you that?

18 A. Dr. Bellis.

19 Q. And what is your treatment for that?

20 A. I take Celebrex.

21 Q. So that's the inflammation that you were
22 talking about earlier that you take the Celebrex for?

23 A. Yes.

24 Q. And what were your symptoms that led him to



1 diagnose you with that?

2 A. The pain and the swelling.

3 Q. Where?

4 A. In my foot.

5 Q. So you have arthritis in your foot?

6 A. I was told I have posttraumatic stress
7 arthritis.

8 Q. Do you have arthritis anywhere else?

9 A. No.

10 Q. Okay, only in your foot?

11 A. Yes.

12 Q. And Dr. Bellis diagnosed you with that?

13 A. Yes.

14 Q. Do you have any other joint pain?

15 A. Not other than my leg.

16 Q. Just quickly, in response to No. 40, you
17 indicate that you had a vehicle allowance and a per
18 diem allowance and that housing was furnished. Who
19 was all that arranged with through Aureus, do you
20 know? Who did you speak with there to arrange?

21 A. My supervisor was Ray Petty.

22 Q. And how do you spell that last name?

23 A. P-e-t-t-y.

24 Q. And his title was?



1 A. I don't know.

2 Q. Did you arrange it through anyone else at all?

3 A. No.

4 MR. LEVIN: You said it was your
5 supervisor at Aureus?

6 THE WITNESS: Um-hum.

7 MR. LEVIN: Ray Petty?

8 THE WITNESS: Um-hum, yes.

9 Q. Last but not least, No. 10, and you can take a
10 look at that response, this lists your doctors and
11 treatment. Any other conditions that you're being
12 treated for other than these listed here in No. 10 and
13 what we've discussed today at this deposition?

14 A. I'm not being treated for any of these
15 conditions at this time.

16 Q. Okay, have you seen anyone else for any other
17 condition, these are your past conditions, any other
18 past conditions that are not listed here?

19 A. No.

20 Q. Anything since the incident that is not listed
21 here, other than what we've discussed today?

22 A. No.

23 MS. MASSARO: I have no further questions.
24

